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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,657	02/19/2004	Yu-sen Lin	MR1111-1231	2203
4586	7590	04/07/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			MARSH, STEVEN M	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/780,657	Applicant(s) LIN, YU-SEN	
	Examiner Steven M Marsh	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the second office action for U.S. Application 10780,657 for a Spiral Spring for a Liquid Crystal Display Stand filed by Yu-sen Lin on February 19, 2004.

Claim Rejections - 35 USC § 103

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art cited by Applicant (shown in figs. 8 and 9) in view of U.S. Patent 5,462,547 to Weigum. The prior art cited by Applicant discloses a spiral spring (A3) adapted for a liquid crystal display stand with a sliding base (A1) that has a slot (A2) and a pair of rails (A5) therein. There is a sliding block (A4) to be slid within the sliding base along the rails, whereby a top end of the sliding block is for a liquid display monitor (A6) to be seated and secured thereon. There is a longitudinally extended spiral spring (A3) secured onto the sliding base and one longitudinal end of the spiral spring is rolled on a shaft to provide a longitudinally directed bias force, while the another longitudinal end of the spiral spring is secured to a bottom end of the sliding block.

The prior art cited by Applicant does not disclose the spiral spring shaft as having two bending edges at respective sides to form an angle with respect to a longitudinally extended intermediate portion of the spiral spring. Weigum teaches that the edges of a plate (or shaft) can be bent into an arc shape to strengthen the plate (see col. 3, lines 13-22). It would have been obvious to one of ordinary skill in the art at the time of the present invention to have bent the edges of the plate-like shaft of the spiral spring

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taught by the prior art cited by Applicant, into an arc shape (an angle) as taught by Weigum, for the purpose of strengthening the intermediate portion (or shaft).

Response to Arguments

Applicant's arguments filed December 30, 2004 have been fully considered but they are not persuasive. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to Applicant's argument that it would be counter-intuitive for one skilled in the art to bend the lateral edges of a spiral spring which must be repeatedly longitudinally wound about a shaft and unwound from, it is pointed out that the spring could still be bent depending upon the material and thickness of the material. Bending the edges would strengthen or reinforce the spring, but wouldn't necessarily make it impossible for the spring to be bent around a shaft. While Weigum doesn't specifically disclose bending the edges of a spring, it teaches bending edges for improving strength, which in this case, would be the edges of the spring.

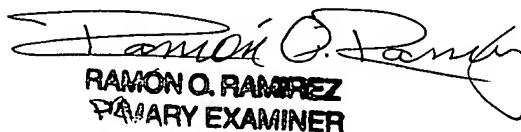
Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Marsh whose telephone number is (571) 272-6819. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30 PM. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

SM
Steven M. Marsh
March 31, 2005


RAMON O. RAMIREZ
PRIMARY EXAMINER